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November 4, 2002

WRITTEN EX PARTE

Ms Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: CC Docket No. 94-102

Dear Ms Dortch:

Attached is a letter that I sent to Thomas Sugrue, Chief of the Wireless Telecommunications Bureau. In accordance with Commission rules, I am filing with you electronically a copy of that letter and request that you place the letter in the record of the proceeding identified above. Please call me at 202.463.4113 if you have any questions related to this filing.

Sincerely,



Kathleen B. Levitz

Attachment

cc: Thomas Sugrue
James Schlichting
Joel Taubenblatt
Barry Ohlson
Blaise Scinto
Daniel Grosh
Jennifer Salhus
Patrick Forster

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Thomas J. Sugrue
Chief, Wireless Telecommunications Bureau
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Re: CC Docket No. 94-102

Dear Mr. Sugrue:

This letter responds to your October 28, 2002 correspondence that clarifies that the upgrades that perform the query functions of the E2 interface are considered ALI database upgrades whose costs is the responsibility of the PSAPs. In addition, you have requested an update on progress concerning deployment of wireless enhanced 911 (E911) Phase II service in the BellSouth region. Based on the further guidance from the Commission, BellSouth is proceeding expeditiously to negotiate and resolve all existing issues as quickly as possible.

To this end, BellSouth has revised its contract policy with respect to the wireless carriers. Wireless carriers will continue to access BellSouth's E911 system pursuant to their existing interconnection agreements, which reference CMRS interconnection services provided in BellSouth's General Subscribers Service Tariffs under Section A35.1.4.D. Section A35 will be clarified to indicate that the wireless carrier will have direct access to the ALI database for the purposes of delivering location information pertaining to a 911 call to the PSAPs and that each carrier is responsible for designating its MPC operator for such access.

In addition, in light of your clarifying to whom BellSouth should look for recovery of the costs associated with the query functions of the E2 interface in the ALI database, BellSouth is developing a new rate element for inclusion in its E911 state tariffs. This will not delay implementation of E911 phase II service in the BellSouth region because BellSouth is prepared to transmit Phase II X,Y location information to PSAPs as soon as the wireless carriers are prepared to send it.

Thus, BellSouth is prepared to continue moving forward with full phase II implementation while the tariffs governing BellSouth's provision of E911 services to PSAPs are being modified in each state to be consistent with your guidance on costs allocation.

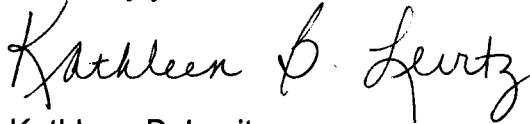
While an individual contract with each wireless carrier will not be required for E911 Phase II implementation, BellSouth will still require that each wireless carrier's MPC operator secure access to the ALI database on the carrier's behalf, pursuant to a contractual agreement with BellSouth. BellSouth has all technical upgrades in place that will allow carriers to move forward with full phase II implementation. The major carrier status is as follows:

1. On October 30, 2002, Sprint PCS now agreed to begin its testing with Intrado as its MPC operator. Intrado has now signed the First Office Application to begin testing the phase II traffic in Spartanburg County, South Carolina.
2. On October 31, 2002, Cingular also advised BellSouth that it will begin testing with TCS as its MPC operator and TCS has now also signed a testing agreement with BellSouth.
3. AT&T negotiated and successfully completed a phase II test using Intrado as its MPC Operator back in September 24, 2002. BellSouth is currently in negotiations with AT&T for deployment of phase II in Nassau County, Florida. AT&T plans to use Intrado as its MPC Operator and BellSouth is currently negotiating a permanent agreement for phase II deployment with Intrado in Florida.
4. Verizon Wireless confirmed today it plans to use TCS as its MPC operator. Verizon Wireless stated, however, that it has no specific date on which it plans to begin testing implementation. Verizon Wireless has indicated that it is in negotiation with Spartanburg County, but still does not have a date to begin testing.

TCS, the Verizon Wireless's and Cingular's MPC operator, has notified BellSouth that the E2 interface it developed had problems that will require BellSouth to make changes to the J-STD-036 E2, which has been available on BellSouth ALI databases since August 1, 2002. BellSouth has made recent enhancements to the J-STD-036 E2 interface as a direct request from TCS so that Verizon's can still send Phase I location information to be placed into the ALI database in the event the caller's Phase II X, Y coordinates are not available. This enhancement is known within the industry as "E2+" and provides the carrier the capability of providing phase I location information which is not possible with the current J-STD-036 E2 interface. BellSouth has been now required to make additional enhancements in order to accommodate Verizon Wireless' MPC provider in using the Extensible Markup Language (XML) data format for the E2+

interface. Other providers, such as Intrado, have also recently decided to utilize the E2+ due to the shortcomings of the original J-STD-036 E2 interface. These enhancements have been successfully lab tested with TCS, on behalf of Verizon Wireless and will be implemented on the BellSouth ALI databases starting November 5, 2002 and completing November 26. Therefore, unless Verizon Wireless or Cingular chooses to use the original J-STD-036 E2 interface, neither will be able to deploy or test phase II anywhere in the BellSouth region until after November 26th when the new E2+ interface becomes available.

Sincerely yours,

A handwritten signature in cursive script that reads "Kathleen B. Levitz". The signature is written in black ink and is positioned above the printed name.

Kathleen B. Levitz

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